

EXHIBIT N

From: [Morton, Phillip](#)
To: [David Simons](#); [Maxwell Pritt](#)
Cc: [Stameshkin, Liz](#); [Lauter, Judd](#); [Angela L. Dunning](#); [Kathleen Hartnett](#); [mlemley@lex-lumina.com](#); [Ghajar, Bobby A.](#); [Ghazarian, Colette A](#); [Jesse Panuccio](#); [Poppell, Cole A](#); [Biksa, Liene](#); [Weinstein, Mark](#); [Alvarez, Jessica](#); [Holden Benon](#); [Christopher Young](#); [Aaron Cera](#); [Cadio Zirpoli](#); [Joe Saveri](#); [Margaux Poueymirou](#); [Ashleigh Jensen](#); [Rya Fishman](#); [Matthew Butterick](#); [Nada Djordjevic](#); [James Ulwick](#); [Bryan L. Clobes](#); [Mohammed Rathur](#); [Amy Keller](#); [David Straite](#); [Ruby Ponce](#); [Alexander Sweatman](#); [Heaven Haile](#); [Llama BSE](#); [Josh Schiller](#); [David Boies](#); [z/Meta-Kadrey](#); [Llama C-Counsel](#)
Subject: RE: Kadrey v. Meta - Depositions
Date: Wednesday, October 30, 2024 1:12:02 PM

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David-

Here's where things stand as we see them.

1. We all learned yesterday that briefing would be due tomorrow morning. You are correct that, as plaintiffs requested, we are working on our sections of the joint submission pertaining to Mr. Cox's deposition and the 30(b)(6) topics as to which we object so that we can provide those to you in the first instance. We will share those portions of the joint submission with your team later this afternoon, and ask to receive your responsive portion by 9:00am PST tomorrow morning.
2. As we have already stated, we will be providing you with our list of 30(b)(6) designees today. We expect to stand on our objections to a number of requests as Judd informed you during our meet and confer call yesterday. Where we can offer further compromises, we will. That is something we are expeditiously attempting to work through with our client and witness designees.
3. When can we expect your edits, if any, to the Zuckerberg stipulation? We'd obviously like to inform the Court in our submission that the stipulation is on file.
4. We still do not understand your "open issue" regarding "whether Meta will accept subpoenas for Zhang and the three former employees in France." We are not in a position to accept subpoenas for former employees, and you haven't sent us any. To the extent you would like to raise this issue with Judge Hixson, please explain what you will be requesting, the basis for your request, and why you believe it is timely. Please also confirm that you will provide your draft section on this issue this afternoon, so that we may respond. We obviously cannot prepare our sections until we know what you are asking for, and we reserve all rights and defenses.
5. For the first time in your email below, and without any meet and confer, you now claim you "intend to raise an issue in the letter brief regarding the insufficient production of custodial documents for deponents." Your two complaints appear to be that you have not yet received documents for the new custodians just added to the case on October 4 and that you do not believe you have received a full production from two original custodians, Ms. Pineau and Mr. Clark. Neither issue is appropriate for inclusion in the

joint submission, which is supposed to address only issues related to scheduling of depositions. Nevertheless, we feel compelled to point out the following.

1. With respect to the first issue, we are actively working on our productions and intend to complete them as quickly as possible on a rolling basis. As you know, Judge Hixson granted plaintiffs' request for 25 total depositions by order dated 10/15 (Dkt. 231), but cautioned in his Order that they would need to proceed irrespective of outstanding requests for documents: "The Court is approving a significant increase in the number of depositions with eight weeks and three days left in fact discovery. ***This will only work if the parties promptly take their allotted depositions with the documents they have from discovery requests they served and from the custodians they identified months ago. This will not work if the parties decline to take depositions until they receive things they don't have yet.***"
2. With respect to the second issue, any concerns with respect to the adequacy of our productions for Ms. Pineau and Mr. Clark are without foundation, and any briefing on those issues is now untimely under Judge Chhabria's Scheduling Order. Please confirm that Plaintiffs will withdraw this issue or, at the very least, that we will see Plaintiffs' arguments on these issues this afternoon so we will have time to respond to them. Again, all rights are reserved.

We trust both sides are working diligently to prepare their respective sections (as reflected above) for mutual exchange this afternoon, so that we can both provide our responsive sections tomorrow morning in time to harmonize and finalize the submission by noon. Please confirm.

Thanks,
Phil

From: David Simons <dsimons@BSFLLP.com>

Sent: Wednesday, October 30, 2024 1:44 PM

To: Morton, Phillip <pmorton@cooley.com>; Maxwell Pritt <mpritt@BSFLLP.com>

Cc: Stameshkin, Liz <lstameshkin@cooley.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Hartnett, Kathleen <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur

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Subject: Re: Kadrey v. Meta - Depositions

[External]

Hi Phil,

You have now had Plaintiffs' proposal for 17 hours. We drafted it within two hours of you requesting that we do so. "Later this afternoon" will not work as the counsel for Plaintiffs principally involved in this issue are located on the East Coast such that they will not have adequate time during the business day (or even reasonably thereafter) to respond. If there is a counter-proposal you would like to share, we are happy to review it to try to reach agreement, but further delay is not productive and compounds the growing prejudice to Plaintiffs.

Time is of the essence given that our letter-brief is due in just over 24 hours and Plaintiffs have not received any of the information from Meta that we have requested, all of which is necessary to draft Plaintiffs' responsive positions. It appears that rather than negotiate in good faith, Meta is instead actively drafting its own position rather than sharing that basic information with Plaintiffs. Plaintiffs reserve all rights.

With respect to the Zuckerberg stipulation, we will review it in due course in light of Judge Hixson's order yesterday.

We also intend to raise an issue in the letter brief regarding the insufficient production of custodial documents for deponents. To date, Plaintiffs have not received any custodial documents from the custodians Judge Hixon added on October 4, and we have repeatedly raised issues with the extremely limited production of custodial documents from some of Meta's original ten self-selected custodians, namely thus far Ms. Pineau and Mr. Clark. Meta has not responded to those inquiries.

Best,
David

From: Morton, Phillip <pmorton@cooley.com>

Sent: Wednesday, October 30, 2024 1:16 PM

To: David Simons <dsimons@BSFLLP.com>; Maxwell Pritt <mpritt@BSFLLP.com>

Cc: Stameshkin, Liz <lstameshkin@cooley.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>;

[lumina.com](mailto:mlemley@lex-lumina.com) <mlemley@lex-lumina.com>; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <biksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>; Llama C-Counsel <llama_cocounsel@bsfllp.com>

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David-

We are still discussing internally a reasonable time frame for exchange. 11am is not feasible given the number of issues that need to be covered following our discussion yesterday. We are expecting it will be later this afternoon. We will revert back soon.

Please confirm the stipulation regarding Mr. Zuckerberg is acceptable so we can promptly take that issue off the table.

Also, please answer our question asking you to clarify what you are going to ask the Court to compel Meta to do in your “open issue” regarding “whether Meta will accept subpoenas for Zhang and the three former employees in France.”

We will assume you are not pursuing any other issues given your silence on that question.

Thanks,

Phil

From: David Simons <dsimons@BSFLLP.com>

Sent: Wednesday, October 30, 2024 11:51 AM

To: Morton, Phillip <pmorton@cooley.com>; Maxwell Pritt <mpritt@BSFLLP.com>

Cc: Stameshkin, Liz <lstameshkin@cooley.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Hartnett, Kathleen <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>; Llama C-Counsel <llama_cocounsel@bsfllp.com>

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[External]

Hi Phil,

Following up on our proposed schedule, which we sent 15 hours ago. Given that the letter-brief is due tomorrow we need to nail this down ASAP, so appreciate getting a timely response. In particular, we await Meta's final positions on (1) the Cox depo, (2) the list of designees for all noticed topics, and (3) on many of Meta's 30(b)(6) objections or limitations that you took under advisement yesterday. Without that information, Plaintiffs are unable to draft our portion of the letter brief, so Meta's continued delay in providing that information is causing ever-increasing prejudice. We kindly request that you provide Meta's positions on each of the above topics, on a rolling basis, as soon as Meta has the applicable information so as to minimize that prejudice.

Plaintiffs reserve all rights.

We can confirm the dates you provided yesterday for Mr. Boesenberg and Mr. Acharya. And yes, those are the three former employees in France I was referring to.

Best,

David

From: Morton, Phillip <pmorton@cooley.com>

Sent: Tuesday, October 29, 2024 11:01 PM

To: David Simons <dsimons@BSFLLP.com>; Maxwell Pritt <mpritt@BSFLLP.com>

Cc: Stameshkin, Liz <lstameshkin@cooley.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com <mlemley@lex-lumina.com>; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>; Llama C-Counsel <llama_cocounsel@bsfllp.com>

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David-

Thanks for your email. We will get back to you on the proposed schedule.

In the interim, attached is a draft stipulation regarding Mr. Zuckerberg's deposition. Please confirm we have your assent to file.

Could you please clarify what you are going to ask the Court to compel Meta to do in your "open issue" regarding "whether Meta will accept subpoenas for Zhang and the three former employees in France"? Additionally, we presume the "three former employees in France" you are referring to are Guillaume Lample, Edouard Grave and Aurelien Rodriguez, but please confirm.

Also, to the extent you intend to raise "one or two other issues," we need to know what they are immediately so that we can brief them in the time allotted (assuming there is an impasse).

Thanks,
Phil

From: David Simons <dsimons@BSFLLP.com>

Sent: Tuesday, October 29, 2024 8:55 PM

To: Morton, Phillip <pmorton@cooley.com>; Maxwell Pritt <mpritt@BSFLLP.com>

Cc: Stameshkin, Liz <lstameshkin@cooley.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Hartnett, Kathleen <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies

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<llama_cocounsel@bsfllp.com>

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[External]

Hi Phil,

We are checking availability on those additional depositions and will revert.

In terms of responding to Judge Hixson's order, given that Meta plans to move for a protective order as to the Cox deposition and to otherwise limit the scope of the 30(b)(6) topics, we think Meta should first provide its position and also be the party to handle the actual filing. Please confirm.

With regards to a proposed schedule, the largest number of open issues relate to whether Meta is reconsidering some of its objections to the 30(b)(6) deposition notice, so Plaintiffs will need some time to understand what your final positions are so we can respond accordingly. As such, we propose that Meta provides a draft of its positions by 11am Pacific tomorrow, with Plaintiffs responding by 8pm Pacific. Meta will then send back any revisions by 8am Pacific on 10/31, and Plaintiffs will send their final revisions by 10am Pacific on 10/31. Please let us know if this is agreeable or if you have any suggested revisions.

Finally, in terms of the issues that will be contained in the joint letter brief, is Meta planning to provide designees for all noticed topics tomorrow? If that is not the case, then that will still be a live issue. We also plan to include as an open issue whether Meta will accept subpoenas for Zhang and the three former employees in France. We are still conferring internally, so it is possible there may be one or two other issues we would like to raise, and will let you know if that is the case.

Best,

David

From: Morton, Phillip <pmorton@cooley.com>

Sent: Tuesday, October 29, 2024 7:07 PM

To: Maxwell Pritt <mpritt@BSFLLP.com>

Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com <mlemley@lex-lumina.com>; Ghajar, Bobby A.

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Max-

To follow up on Judge Hixson's order, we have several updates on deposition issues.

First, we have checked again with Mr. Boesenberg and Mr. Acharya on dates. We can offer Mr. Boesenberg on Monday, November 18th (Bay Area) and Mr. Acharya on Thursday, November 21st (Bay Area). Please confirm so we can moot this issue for the status report.

Second, we will circulate our 30(b)(6) designees tomorrow, which should moot that issue.

Third, we are preparing a joint stipulation regarding Mr. Zuckerberg's deposition which should moot that issue once entered by Judge Chhabria.

Finally, please confirm what issues the parties are briefing for this joint letter brief. We understand that the live issues are (1) Mr. Cox's deposition and (2) disputes over certain topics and objections to

Plaintiffs' 30(b)(6) notice to Meta. We are considering the parties' discussions in the meet and confer and will circle back if we have any proposed compromises. To the extent Plaintiffs have any suggested compromises, we'd be happy to hear them. In addition, if Plaintiffs have a proposed briefing schedule, we'd be happy to entertain it.

Thanks,
Phil

From: Maxwell Pritt <mpritt@BSFLLP.com>
Sent: Tuesday, October 29, 2024 3:39 PM
To: Morton, Phillip <pmorton@cooley.com>
Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Hartnett, Kathleen <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>
Subject: RE: Kadrey v. Meta - Depositions

[External]

Yes, thank you.

Best,

Max

From: Morton, Phillip <pmorton@cooley.com>

Sent: Tuesday, October 29, 2024 12:31 PM

To: Maxwell Pritt <mpritt@BSFLLP.com>

Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>

Subject: RE: Kadrey v. Meta - Depositions

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Max-

We disagree that this is an appropriate use of a status report on depositions. We have made the attached changes.

Please confirm we have permission to file with your signature.

From: Maxwell Pritt <mpritt@BSFLLP.com>

Sent: Tuesday, October 29, 2024 3:15 PM

To: Morton, Phillip <pmorton@cooley.com>

Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Hartnett, Kathleen <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>

Subject: RE: Kadrey v. Meta - Depositions

[External]

We do not agree to your deletion of anything in our position statement. Please use the attached version and file.

Thank you.

Best,

Max

From: Morton, Phillip <pmorton@cooley.com>

Sent: Tuesday, October 29, 2024 12:06 PM

To: Maxwell Pritt <mpritt@BSFLLP.com>

Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon

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Subject: RE: Kadrey v. Meta - Depositions

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Max-

Here's a redline. Please confirm this is acceptable to file.

From: Maxwell Pritt <mpritt@BSFLLP.com>

Sent: Tuesday, October 29, 2024 1:52 PM

To: Morton, Phillip <pmorton@cooley.com>

Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Hartnett, Kathleen <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur

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Subject: RE: Kadrey v. Meta - Depositions

[External]

Please use this version, fixing a nit.

Best,

Max

From: Maxwell Pritt <mpritt@BSFLLP.com>

Sent: Tuesday, October 29, 2024 10:49 AM

To: Morton, Phillip <pmorton@cooley.com>

Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>

Subject: RE: Kadrey v. Meta - Depositions

Counsel,

Plaintiffs' changes are attached.

Best,
Max

From: Morton, Phillip <pmorton@cooley.com>

Sent: Tuesday, October 29, 2024 9:20 AM

To: Maxwell Pritt <mpritt@BSFLLP.com>

Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>

Subject: RE: Kadrey v. Meta - Depositions

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Counsel-

We have prepared a draft of the joint status report due today. We have kept a similar tone as last week's report. Please let us know if you have any comments or changes.

Thanks,

Phil

From: Morton, Phillip <pmorton@cooley.com>

Sent: Tuesday, October 29, 2024 9:35 AM

To: Maxwell Pritt <mpritt@BSFLLP.com>

Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Hartnett, Kathleen <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>

Subject: RE: Kadrey v. Meta - Depositions

Max-

Thank you for confirming. We have heard back from third party Mr. Roller and he can be available on Wednesday, December 11th in NYC. Please confirm.

Thanks,

Phil

From: Maxwell Pritt <mpritt@BSFLLP.com>
Sent: Tuesday, October 29, 2024 12:53 AM
To: Morton, Phillip <pmorton@cooley.com>
Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Hartnett, Kathleen <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>
Subject: Re: Kadrey v. Meta - Depositions

[External]

Phil,

I think we've worked things out to confirm Mr. LeCun's deposition on 11/21 in Palo Alto.
Thank you.

Best,

Max

From: Maxwell Pritt <mpritt@BSFLLP.com>
Sent: Monday, October 28, 2024 4:22 PM
To: Morton, Phillip <pmorton@cooley.com>
Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com <mlemley@lex-lumina.com>;

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Subject: Re: Kadrey v. Meta - Depositions

Thank you for you email, Phil. We can confirm 11/14 for Ms. Kallet's deposition in NYC, 11/15 for Ms. Fan's deposition in NYC, and 12/5 for Mr. Choudhury's deposition in the Bay Area. Regarding Mr. LeCun's change in location for his deposition on 11/21 from NYC to Palo Alto, that does not work for us presently so please provide his additional availability (and locations) prior to 12/13. We also will let you know if that changes and we can make 11/21 work (or 11/22 if he's in Palo Alto and the date still works). Please also provide the additional availability prior to 12/13 for Messrs. Boesenberg and Acharya as the dates offered do not work.

Please advise when Meta will be producing custodial documents for the additional custodians ordered by Judge Hixson at the beginning of the month.

We understand we will be meeting and conferring tomorrow on any objections Meta intends to raise to our 30(b)(6) topics and identification of Meta's witnesses.

We will be sending over today a proposed briefing stip and admin motion to address extant discovery disputes, and we request Meta's prompt response.

Thank you.

Best,

Max

From: Morton, Phillip <pmorton@cooley.com>

Sent: Monday, October 28, 2024 3:36 PM

To: Maxwell Pritt <mpritt@BSFLLP.com>

Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>;
Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Kathleen
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<DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>

Subject: Re: Kadrey v. Meta - Depositions

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Max-

Thank you for confirming Mr. Bell's deposition. We have the following additional depositions to offer: 1) Amanda Kallet – November 14 (NYC), 2) Angela Fan – November 15 (NYC), 3) Alex Boesenberg – November 14 (Bay Area), 4) Amrish Acharya – November 19 (Bay Area), and 5) Sy Choudhury - December 5 (Bay Area). Please confirm.

Due to Mr. LeCun's travel schedule, the location of Mr. LeCun's deposition will need to move to Palo Alto, CA, but it can still go forward on 11/21 as previously agreed.

We will circle back on the location of Ms. Pineau's deposition - we are confirming a law firm's space in Montreal. Mr. Edunov's deposition will take place at Cooley LLP, 3175 Hanover Street, Palo Alto, CA 94304

Regarding third party Mr. Roller, we are working with him to identify an alternative date. Other than Mr. Roller and Mr. Cox (which the parties are meeting and conferring about tomorrow), all of the Meta witnesses should now be scheduled for deposition.

Regarding the reproduction of documents, we have another reproduction going out today. As of today, over 90% of the documents subject to reproduction will have been reproduced (1,539 total documents reproduced). We have a small batch remaining (under 150 documents) that we expect will be completed by Thursday as we have previously communicated. We have also prioritized any documents related to Ms. Nayak so you have those in advance of the deposition.

Regarding the 30(b)(6) objections and responses, those will be served shortly. We will not be identifying any 30(b)(6) designees today as we are still confirming those designations with the witnesses, but it is our current expectation that we will be designating witnesses from the group of witnesses Plaintiffs already requested for deposition. Regarding this week's deposition, we will not be presenting Ms. Nayak on any 30(b)(6) topics.

Regarding your letter on the privilege log, as we told you Friday, while reserving and without waiver of any rights or objections, we will be providing an additional response this week.

We will respond separately to Mr. Forbush's email on Existing Written Discovery disputes.

Thanks,

Phil

From: Maxwell Pritt <mpritt@BSFLLP.com>

Sent: Monday, October 28, 2024 1:24 PM

To: Morton, Phillip <pmorton@cooley.com>

Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Hartnett, Kathleen <khartnett@cooley.com>; mlemley@lex-lumina.com <mlemley@lex-lumina.com>; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfillp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>

Subject: RE: Kadrey v. Meta - Depositions

[External]

Counsel, we are still awaiting your responses to the issues below. Also, please provide the location for Ms. Pineau's deposition and Mr. Edunov's deposition.

Thank you.

Best,
Max

From: Maxwell Pritt <mpritt@BSFLLP.com>

Sent: Friday, October 25, 2024 2:50 PM

To: Morton, Phillip <pmorton@cooley.com>

Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>

Subject: RE: Kadrey v. Meta - Depositions

Counsel, we can confirm Mr. Bell on 12/11. Please get back to us on the other issues we've raised, including the reproduction of documents that don't anonymize commenters or cut off comments; the lack of custodial documents for Ms. Pineau who Meta represented was one of its original 10 custodians; the dates of 11/25 or 26 for Mr. Roller's deposition; the identity of Meta's 30(b)(6) designees by topic and any objections Meta intends to stand on; the issues we've raised regarding Meta's amended privilege logs and production of redacted/withheld documents; and the several requests in Reed's 12:35PM email on discovery issues that, at least at that time, we were not yet at an impasse.

Thank you.

Best,

Max

From: Maxwell Pritt <mpritt@BSFLLP.com>

Sent: Friday, October 25, 2024 9:24 AM

To: Morton, Phillip <pmorton@cooley.com>

Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>

Subject: RE: Kadrey v. Meta - Depositions

Apologies, I understand you did already provide location for Ms. Nayak. Please let us know about the reproductions. Thank you.

Best,
Max

From: Maxwell Pritt <mpritt@BSFLLP.com>

Sent: Friday, October 25, 2024 9:11 AM

To: Morton, Phillip <pmorton@cooley.com>

Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite

<dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>

Subject: RE: Kadrey v. Meta - Depositions

Good morning, Phil and Liz.

We haven't heard back on the location for Ms. Nayak's deposition next Thursday, so please let us know today.

Please also confirm you will be re-producing today the corrected versions of documents that include the names of the individuals in comment bubbles and the complete/full comments. If you cannot produce them today, please confirm you will do so by Monday or provide an explanation of the timing and delay so we can raise it with the Court in next Tuesday's status report. Thank you.

Best,

Max

From: Maxwell Pritt <mpritt@BSFLLP.com>

Sent: Wednesday, October 23, 2024 2:43 PM

To: Morton, Phillip <pmorton@cooley.com>

Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <DSimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF

<Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies
<DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>

Subject: RE: Kadrey v. Meta - Depositions

Phil, we can confirm Mr. Clark on 11/13 instead of 11/14. We can also confirm Mr. Touvron on 12/3, Mr. Scialom on 12/5, and Mr. Bashlykov on 12/6. Regarding Ms. Nayak, can you please let us know the location for her deposition?

Thank you.

Best,

Max

From: Maxwell Pritt <mpritt@BSFLLP.com>

Sent: Wednesday, October 23, 2024 1:50 PM

To: Morton, Phillip <pmorton@cooley.com>

Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>

Subject: RE: Kadrey v. Meta - Depositions

Apologies, Phil, that I can't confirm the week of 11/18 for Mr. Roller either. But I could confirm 11/25 or 11/26. Please let me know if we can lock either in.

Thank you.

Best,

Max

From: Maxwell Pritt <mpritt@BSFLLP.com>

Sent: Wednesday, October 23, 2024 12:58 PM

To: Morton, Phillip <pmorton@cooley.com>

Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>

Subject: RE: Kadrey v. Meta - Depositions

Unfortunately I can't confirm 11/1 in NY for Mr. Roller. If he is unavailable for his deposition in the 11/25-12/11 window, please let us know his availability the week of 11/18. Thank you.

Best,

Max

From: Morton, Phillip <pmorton@cooley.com>

Sent: Wednesday, October 23, 2024 12:49 PM

To: Maxwell Pritt <mpritt@BSFLLP.com>

Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>

Subject: RE: Kadrey v. Meta - Depositions

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Max-

Mr. Roller is a third party and has specifically asked to have his deposition taken sooner. Please confirm.

Thanks,
Phil

From: Maxwell Pritt <mpritt@BSFLLP.com>

Sent: Wednesday, October 23, 2024 3:45 PM

To: Morton, Phillip <pmorton@cooley.com>

Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Hartnett, Kathleen <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>

Subject: RE: Kadrey v. Meta - Depositions

[External]

Thanks, Phil. We'll get back to you on London dates and we appreciate you trying to coordinate them. We asked for Mr. Roller's availability between 11/25 and 12/11—please let us know re those weeks.

Best,

Max

From: Morton, Phillip <pmorton@cooley.com>

Sent: Wednesday, October 23, 2024 12:39 PM

To: Maxwell Pritt <mpritt@BSFLLP.com>

Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera

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Max-

As an additional update, Stephen Roller will be available on Friday, November 1 (New York). Please confirm.

Thanks,
Phil

From: Morton, Phillip

Sent: Wednesday, October 23, 2024 2:03 PM

To: Maxwell Pritt <mpritt@bsfllp.com>

Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@bsfllp.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Hartnett, Kathleen <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@bsfllp.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri

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Subject: RE: Kadrey v. Meta - Depositions

Hi Max-

We have a few more deposition updates:

Mike Clark has a personal obligation that has arisen on November 14. His deposition will need to go forward on November 13 instead (still in Denver). Please confirm.

Regarding the EU/UK employee-witnesses, we were able to get them all scheduled during a single week in London. Hugo Touvron will be offered on Tuesday, December 3; Thomas Scialom will be offered on Thursday, December 5; and Nikolay Bashlykov will be offered on Friday, December 6th. Please confirm.

Thanks,
Phil

From: Morton, Phillip <pmorton@cooley.com>

Sent: Tuesday, October 22, 2024 3:01 PM

To: Maxwell Pritt <mpritt@bsfllp.com>

Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@bsfllp.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Hartnett, Kathleen <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@bsfllp.com>; Poppell,

Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsflp.com>; Josh Schiller <JiSchiller@bsflp.com>; David Boies <DBoies@bsflp.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>

Subject: Re: Kadrey v. Meta - Depositions

Max-

We checked with Mr. LeCun again and he is available on Thursday, November 21, one of the days you specifically requested. Please confirm.

Thanks,

Phil

On Oct 22, 2024, at 11:50 AM, Maxwell Pritt <mpritt@bsflp.com> wrote:

[External]

Thanks, Phil. Responses inline below in red font.

Best,

Max

From: Morton, Phillip <pmorton@cooley.com>

Sent: Tuesday, October 22, 2024 8:16 AM

To: Maxwell Pritt <mpritt@BSFLLP.com>; Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Dunning, Angela L. <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>

Cc: Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>

Subject: RE: Kadrey v. Meta - Depositions

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Max-

All of these witnesses have very busy work schedules, as well as family and personal obligations that they have to move around for these depositions. As you may have noticed, we have tried to give you witnesses in the requested date ranges wherever possible, including Mr. LeCun and Ms. Nayak. Regarding Ms. Nayak, if we are going to meet this schedule we need to get at least one deposition on calendar before November. We disagree that busy work schedules—which of course are commonplace—could possibly excuse Meta not providing multiple dates in a two-month window. And we have immediately accepted almost all of the other single deposition dates for witnesses that Meta provided after receiving your emails as to those witnesses and dates. Also, to be clear, we asked for dates starting this Friday and Meta has provided a single witness in October. As for Ms. Nayak, I said the single date provided (Halloween) was difficult and asked for other dates around that time (or other times), but Meta refused to provide any. In any event, we will make that date work for Ms. Nayak. We cannot make the single date offered for Mr. LeCun work so please provide alternate dates.

We are continuing to work on scheduling people in London, which is complicated by the fact we are voluntarily bringing employee-witnesses from Paris to London. We hope to have that resolved soon. Thank you.

Regarding Mr. Rodriguez, we updated the initial disclosures last night. We asked that Meta provide his last known contact information—please do so. In any event, as he is still on your Rule 26 disclosures and thus someone Meta represents it may use to support its claims or defenses so Meta must produce him for deposition. Please let us know his availability for deposition and where you will make him available.

With respect to Mr. Cox, we believe under the apex doctrine and in view of other depositions and discovery sought, his deposition should not go forward. We would like to understand why Plaintiffs have suddenly identified him. In the event the Court is inclined to permit his deposition, we believe it should be extremely limited in time. We disagree with your characterization on timing. We also disagree any deposition of Mr. Cox should be limited but are happy to schedule a meet and confer. In the meantime, as requested, please provide his availability for deposition as we've requested.

We also note that while Meta has been diligently identifying dates for witnesses and otherwise responding to your inquiries, we have received no response to our October 15 request for the depositions of Matthew Klam and Rachel Snyder. Please respond to this request today. Likewise, please provide availability for Mr. Farnsworth's deposition without further delay. We disagree with your attempt to suggest that Meta has been diligent and Plaintiffs have not; that is incorrect and these sort of statements are not productive so hopefully we can leave them out moving forward. As for the dates you've requested, including now for Mr. Farnsworth, we will follow-up with the other firms who will be handling their depositions and ask them to get back to you as soon as possible.

Thank you preparing the joint status report draft. We trust that it will be non-argumentative and reflect the progress that Meta and Plaintiffs have made scheduling Meta's depositions. We hope so but welcome any redlines.

Regards,

Phil

From: Maxwell Pritt <mpritt@BSFLLP.com>
Sent: Monday, October 21, 2024 11:07 PM
To: Morton, Phillip <pmorton@cooley.com>; Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Dunning, Angela L. <adunning@cgsh.com>; Hartnett, Kathleen <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>
Cc: Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>
Subject: RE: Kadrey v. Meta - Depositions

[External]

Thanks, Phil.

Regarding Mr. LeCunn's and Ms. Nayak's depositions, given that Meta is refusing to provide any alternate dates we will include in the status report that the parties have a dispute as to their scheduling. Please confirm that that the single dates you proposed initially are the only dates in the next two months these witnesses are available or can make themselves available.

We tentatively confirm Mr. Clark for 11/14. In addition, thank you for letting us know you will accept service of a subpoena on Mr. Roller—can you let us know his availability between 11/25 and 12/11?

Also, you we are still awaiting Meta's response to our request for clarification as to

your representation of Aurelian Rodriguez in light of his identification on Meta's amended initial disclosures. Further, we are still waiting for your response on the other UK/EU witnesses before confirming Mr. Scialom for 12/5 in the hopes that the parties can agree to schedule those witnesses around the same time.

Regarding Mr. Cox, please let us now what you would like to M&C about and in the meantime provide his availability. We can meet and confer when you propose dates and times to M&C about 30(b)(6) topics.

Finally, Judge Hixson did not direct Plaintiffs to send you a draft status report by 9am pacific or even that we prepare the initial draft. But we will do so and provide it to you in advance of the noon deadline.

Best,

Max

From: Morton, Phillip <pmorton@cooley.com>

Sent: Monday, October 21, 2024 7:16 PM

To: Maxwell Pritt <mpritt@BSFLLP.com>; Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Dunning, Angela L. <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>

Cc: Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>

Subject: RE: Kadrey v. Meta - Depositions

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Maxwell –

As a further update, we can offer Mike Clark on Thursday, November 14 (Denver). We are also authorized to accept service of a deposition subpoena for Steven Roller.

Regarding Mr. LeCunn and Ms. Nayak, we are offering the dates they have available. Please confirm.

We would also like to meet and confer regarding your request for a deposition of Mr. Chris Cox.

Given we have a status report on depositions due tomorrow, please send us a draft by 9am Pacific Time.

Thanks,
Phil

From: Maxwell Pritt <mpritt@BSFLLP.com>
Sent: Monday, October 21, 2024 4:46 PM
To: Morton, Phillip <pmorton@cooley.com>; Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Dunning, Angela L. <adunning@cgsh.com>; Hartnett, Kathleen <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>
Cc: Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon

<hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>

Subject: RE: Kadrey v. Meta - Depositions

[External]

Hi Phil,

In response to your other email, we tentatively can confirm Chaya Nayak on 10/31 (SF), though that date is difficult so we would appreciate if you can let us know additional availability the following week.

We are still waiting to confirm Mr. Scialom for 12/5 until we hear back from you about the other UK/EU witnesses, and waiting to confirm Yann LeCun until we hear back about the alternate dates we requested.

Separately, Meta appears to have produced relatively few documents (little to no emails, mostly academic papers) from Ms. Pineau even though we understand was one of the initial custodians selected by Meta. Can you please confirm that Meta searched Ms. Pineau's custodial files (including all email and messaging accounts) for all potentially relevant and responsive information?

Thank you.

Best,

Max

From: Maxwell Pritt <mpritt@BSFLLP.com>
Sent: Monday, October 21, 2024 9:05 AM
To: Morton, Phillip <pmorton@cooley.com>; Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Dunning, Angela L. <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>
Cc: Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>
Subject: RE: Kadrey v. Meta - Depositions

Thanks, Phil.

We get back to you re Mr. Scialom, but will you be proposing the other London/EU depositions around that same time to consolidate?

Can confirm re: Messrs. Kerr (11/26), Nho (12/6), and Rao (12/13).

For Mr. LeCunn, 11/22 does not work currently—could we make 11/21, 11/24, or even 11/23 work?

Best,

Max

From: Morton, Phillip <pmorton@cooley.com>

Sent: Monday, October 21, 2024 8:58 AM

To: Maxwell Pritt <mpritt@BSFLLP.com>; Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Dunning, Angela L. <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>

Cc: Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>

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Counsel-

We can additionally offer Thomas Scialom on Thursday, December 5th (London). Please confirm this and the other four offered last night in the email immediately below.

Thanks,

Phil

From: Morton, Phillip <pmorton@cooley.com>

Sent: Sunday, October 20, 2024 11:11 PM

To: Maxwell Pritt <mpritt@BSFLLP.com>; Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Dunning, Angela L. <adunning@cgsh.com>; Hartnett, Kathleen <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>

Cc: Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>

Subject: RE: Kadrey v. Meta - Depositions

Counsel-

We can additionally offer Yann LeCunn on Friday, November 22nd (New York), Logan Kerr on Tuesday, November 26th (Bay Area), Eugene Nho on Friday, December 6th (Bay Area), and Arun Rao on Friday, December 13th (Bay Area). Please confirm.

Thanks,
Phil

From: Maxwell Pritt <mpritt@BSFLLP.com>
Sent: Sunday, October 20, 2024 2:00 PM
To: Morton, Phillip <pmorton@cooley.com>; Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Dunning, Angela L. <adunning@cgsh.com>; Hartnett, Kathleen <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>
Cc: Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>
Subject: RE: Kadrey v. Meta - Depositions

[External]

Thank you, Phil. Confirmed as to Ms. Pineau and Mr. Edunov on 11/6.

Best,
Max

From: Morton, Phillip <pmorton@cooley.com>

Sent: Sunday, October 20, 2024 5:59 AM

To: Maxwell Pritt <mpritt@BSFLLP.com>; Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Dunning, Angela L. <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>

Cc: Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>

Subject: RE: Kadrey v. Meta - Depositions

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Max-

Thanks. We will circle back on these.

As an update, we are offering Joelle Pineau on Wednesday, November 6th (Montreal) and Sergey Edunov on Wednesday, November 6th (Bay Area). Please confirm.

Thanks,
Phil

From: Maxwell Pritt <mpritt@BSFLLP.com>
Sent: Sunday, October 20, 2024 1:55 AM
To: Morton, Phillip <pmorton@cooley.com>; Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Dunning, Angela L. <adunning@cgsh.com>; Hartnett, Kathleen <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>
Cc: Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>
Subject: Re: Kadrey v. Meta - Depositions

[External]

Phil,

In addition to the requested information below, please also provide dates between 11/11 and 12/14 for Susan Zhang, Thomas Scialom, and Sy Choudhury. We'd be providing these names in light of your assertion that you will not be representing Guillaume Lample, Edouard Grave, or Aurelien Rodriguez. We still intend to seek discovery from them but recognize the complications of doing so in the

discovery period based on our understanding that they reside and work abroad.
Thank you.

Best,

Max

From: Maxwell Pritt <mpritt@BSFLLP.com>

Sent: Friday, October 18, 2024 8:05 PM

To: Morton, Phillip <pmorton@cooley.com>; Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Dunning, Angela L. <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com <mlemley@lex-lumina.com>; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>

Cc: Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>

Subject: Re: Kadrey v. Meta - Depositions

Thank you, Phil.

Aurelian Rodriguez is on Meta's amended initial disclosures and says contact through Cooley--please advise. If that is in fact no longer the case, please let us know when that changed and his last known contact information. Please also let us know the other former employees' last known contact information.

Best,

Max

From: Morton, Phillip <pmorton@cooley.com>

Sent: Friday, October 18, 2024 5:56 PM

To: Maxwell Pritt <mpritt@BSFLLP.com>; Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Dunning, Angela L. <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com <mlemley@lex-lumina.com>; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>

Cc: Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>

Subject: RE: Kadrey v. Meta - Depositions

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Counsel,

Thank you for sending the list of witnesses. We are assessing and actively working to identify dates of availability. We will circle back soon.

Regarding Guillaume Lample, Edouard Grave, Aurelien Rodriguez, and Steven Roller, we do not currently represent these former employees and are therefore not authorized to accept service for these individuals.

Please let us know how you intend to proceed. If you intend to forego these depositions and take others in their place, we would need to know that immediately and reserve all rights.

Thanks,
Phil

From: Maxwell Pritt <mpritt@BSFLLP.com>

Sent: Thursday, October 17, 2024 4:54 PM

To: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Dunning, Angela L. <adunning@cgsh.com>; Hartnett, Kathleen <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>

Cc: Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>;

Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>

Subject: RE: Kadrey v. Meta - Depositions

[External]

Counsel,

We presently intend to notice depositions of the following individuals. Please let us know the following witnesses' availability between 10/24 and 11/8, and confirm their locations: Angela Fan, Mike Clark, Joelle Pineau, Chaya Nayak, and Sergey Edunov. Please let us know the following witnesses' availability between 11/11 and 11/27, and confirm their locations: Guillaume Lample, Edouard Grave, Nikolay Bashlykov, Alex Boesenberg, Yann LeCunn, Amanda Kallet, Aurelien Rodriguez, and Hugo Touvron. We understand some of these individuals are former Meta employees so please let us now if you will be representing those individuals. Finally, please let us know the following witnesses' availability between 12/2 and 12/13: Logan Kerr, Chris Cox, Eugene Nho, Steven Roller, Sean Bell, Amrish Acharya, and Arun Rao. If any individuals are not available in the requested date ranges, please let us know their subsequent availability (or for those in the later date range, all of their availability before 12/13).

Also, we have asked repeatedly that Meta identify PMKs for our topics, including again on yesterday's M&C—please do so and provide their availability, or let us know by when you will provide that information, so that we can include it in the Tuesday report to Judge Hixson.

Thank you.

Best,

Max

From: Maxwell Pritt

Sent: Tuesday, October 15, 2024 4:31 PM

To: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <DSimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Dunning, Angela L. <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>

Cc: Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>

Subject: RE: Kadrey v. Meta - Depositions

Thank you, Liz. We will endeavor to do so tomorrow. Please let us know tomorrow as well who you will be designating for each of the 30(b)(6) topics in the amended notice we served a week ago.

Best,

Max

From: Stameshkin, Liz <lstameshkin@cooley.com>

Sent: Tuesday, October 15, 2024 4:06 PM

To: David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Dunning, Angela L. <adunning@cgsh.com>; Kathleen Hartnett

<khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A.
<bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>
Cc: Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>;
Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>;
Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon
<hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>;
Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>;
Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou
<mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>;
Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick
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Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller
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<DBoies@BSFLLP.com>; Maxwell Pritt <mpritt@BSFLLP.com>; z/Meta-Kadrey
<zmetakadrey@cooley.com>

Subject: Kadrey v. Meta - Depositions

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Counsel,

In view of the Court's order today, please provide us with the list of witnesses whose depositions Plaintiffs intend to take. We need these right away to investigate their availability and comply with Judge Hixson's instructions. We ask to receive this list by tomorrow.

In addition, please provide dates and locations for the depositions of Matthew Klam and Rachel Snyder. We reserve all rights with respect to Christopher Farnsworth pending the outcome of the consolidation decision.

Best,

Liz

Elizabeth L. Stameshkin

Cooley LLP

3175 Hanover Street

Palo Alto, CA 94304-1130

+1 650 843 5121 office

+1 650 849 7400 fax

+1 626 644 7586 mobile

lstameshkin@cooley.com

Pronouns: she, her, hers

Cooley is committed to [racial justice](#)

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From: [Lauter, Judd](#)
To: [Dunning, Angela L.](#); [David Simons](#); [Morton, Phillip](#); [Maxwell Pritt](#)
Cc: [Stameshkin, Liz](#); [Kathleen Hartnett](#); mlemley@lex-lumina.com; [Ghajar, Bobby A.](#); [Ghazarian, Colette A.](#); [Jesse Panuccio](#); [Poppell, Cole A.](#); [Biksa, Liene](#); [Weinstein, Mark](#); [Alvarez, Jessica](#); [Holden Benon](#); [Christopher Young](#); [Aaron Cera](#); [Cadio Zirpoli](#); [Joe Saveri](#); [Margaux Poueymirou](#); [Ashleigh Jensen](#); [Rya Fishman](#); [Matthew Butterick](#); [Nada Djordjevic](#); [James Ulwick](#); [Bryan L. Clobes](#); [Mohammed Rathur](#); [Amy Keller](#); [David Straite](#); [Ruby Ponce](#); [Alexander Sweatman](#); [Heaven Haile](#); [Llama BSE](#); [Josh Schiller](#); [David Boies](#); [z/Meta-Kadrey](#); [Llama C-Counsel](#)
Subject: RE: Kadrey v. Meta - Depositions
Date: Wednesday, October 30, 2024 3:41:47 PM

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Counsel,

Further to the parties' Monday meet and confer, Meta has summarized in the chart below those issues related to Plaintiffs' 30(b)(6) notice that we are unable to resolve during the call. Please let us know whether Plaintiffs have reconsidered their positions as to Topics 4, 5, 8, 11, and 12. Otherwise, we are at an impasse as to those topics.

As to the remaining issues, however, Meta believes that the proposals below address Plaintiffs' concerns. Please promptly let us know if that is not the case.

Meta also advises that it is making the following 30(b)(6) designations, subject to Meta's responses and objections.

- Topic 1 - Mike Clark
- Topic 2 – Mike Clark
- Topic 3 – Mike Clark
- Topic 4 – Mike Clark
- Topic 6 – Mike Clark
- Topic 7 – Nikolay Bashlykov
- Topic 8 – Sy Choudhury
- Topic 9 – Amrish Acharya
- Topic 10 – Nikolay Bashlykov
- Topic 13 – Eugene Nho

Regards,
Judd

| Issue | Meta's Position |
|--|--|
| Meta limited its definition of "Meta Language Models" Llama 1-3. | Meta agrees to construe "Meta Language Models," in the context of its 30(b)(6) objections, to encompass Llama 4 and will prepare its witnesses accordingly. Meta |

| | |
|---|---|
| | reserves all rights as to the relevance and proportionality of other discovery concerning Llama models other than those that have been publicly released. |
| Meta limited its responses on certain topics to data used to “pretrain” the Llama models (see Topics 1, 4, and 6). | Meta confirms that it will not limit its preparation of witnesses on the identified Topics to pretraining data. Meta reserves all rights as to the relevance and proportionality of other discovery concerning training data other than pretraining data. |
| Topic 4: Meta’s knowledge that its LLM training datasets included copyrighted material, including any discussions or deliberations regarding the same; any discussions, deliberations, or efforts to mitigate potential copyright infringement relating to Meta's LLMs; and any steps Meta has taken to train or otherwise program its LLMs not to output infringing material. | Meta stands on its objections to this Topic to the extent it encompasses “discussions and deliberations.” |
| Topic 5: Meta’s policies and procedures regarding its adherence to any laws or regulations, including the EU AI Act, that require transparency around the datasets used to train AI models, require authorization from rightsholders for the use of the text and data in training AI models, and require disclosure of the use of any copyrighted materials to train an AI model. | Meta stands on its objections to this Topic. |
| Topic 8: Meta’s communications including discussions, deliberations, and negotiations concerning each and every dataset regardless of the source, type, or potential use that may or could have been used in training generative AI products (whether or not related only to Meta products) or for use in any other Meta AI product, other than generative AI, including but not limited to, all such discussions referenced in the April 6, 2024 New York Times article, “How Tech Giants Cut Corners to Harvest Data for A.I.” or the September 25, 2024 The Verge article and interview, “Why Mark Zuckerberg thinks AR glasses will replace your phone.” Some examples that are obvious may include actual or potential licensing deals related to Meta’s AI | Meta stands on its objections to this Topic to the extent it encompasses efforts to acquire training data other than text-based training data for the Llama models (and derivations thereof). |

| | |
|---|--|
| <p>assistant, or actual or potential licensing deals related to Meta’s AI instant video generator, regardless of whether they resulted in actual licensing deals. This topic includes all communications related to these discussions, deliberations, negotiations and or attempts by Meta or other generative AI companies that may have been discussed by Meta that did not result in an executed licensing agreement with a third party.</p> | |
| <p>Topic 9: Financial information about the Llama models’ actual and expected revenue and profit impacts, including Meta’s understanding of the actual and expected financial impact its AI technology will have on Meta’s various commercial product lines, including Facebook, Instagram, Facebook Reels, and WhatsApp.</p> | <p>As proposed by Plaintiffs, Meta agrees to construe “various commercial product lines” as coextensive with the produce lines identified by Meta here, but excluding the catch-all last bullet starting with “Other features...”</p> |
| <p>Topic 10: This Topic asks for a broad swath of testimony concerning the source code we produced. There are two issues they have with our response:</p> | <p>As proposed by Plaintiffs, Meta will prepare a witness to testify generally, and with respect to source code produced by Meta, whether “source code pertaining to Meta’s efforts to train its models to identify copyrighted material” exists, how recently the produced source code has been updated, and how many times it has been updated. Meta maintains its objections to the extent that Plaintiffs intend to ask Meta’s witness to review specific segments of code or to testify where within Meta’s production certain code may be located.</p> |
| <p>Topic 11: Meta’s process for identifying and collecting documents in response to Plaintiffs’ RFPs, including data sources reviewed, non-custodial files reviewed, search terms used, date ranges applied, metadata collection and capabilities concerning what metadata may be collected, and Meta’s policies and practices relating to labeling internal documents “attorney-client privileged” or the equivalent.</p> | <p>Meta stands on its objections to this Topic.</p> |
| <p>Topic 12: The factual bases and any other supporting analysis for Meta’s October 30, 2023 submission to the U.S. Copyright Office contending that its use of copyrighted material to train its LLMs is either non-infringing or otherwise constitutes “fair use.”</p> | <p>Meta stands on its objections to this Topic.</p> |

| | |
|---|--|
| <p>Topic 13: Meta's current or future intention to carry out the guidance from Meta's CEO, Mark Zuckerberg, that if content creators do not want their content used to train Meta's LLMs, then Meta will stop training its LLMs on their content. This topic includes the means and methods by which Meta would stop training its LLMs on certain creators' content, how creators would opt-out, as well as any analysis Meta has done regarding the effects an opt-out system would have on its LLMs, including their efficacy.</p> | <p>Meta disagrees that this Topic, as written, concerns any activity by Meta apart from purported guidance from Mr. Zuckerberg. Nevertheless, in the interest of compromise, Meta will prepare a witness to testify more generally regarding Meta's plans, if any, to cease training future large language models on content in response to requests by the creators of such content, and any non-privileged analysis of the effects, if any, of such plans on the Meta Language Models or their efficacy.</p> |
|---|--|

From: Dunning, Angela L. <adunning@cgsh.com>

Sent: Wednesday, October 30, 2024 3:22 PM

To: David Simons <dsimons@BSFLLP.com>; Morton, Phillip <pmorton@cooley.com>; Maxwell Pritt <mpritt@BSFLLP.com>

Cc: Stameshkin, Liz <lstameshkin@cooley.com>; Lauter, Judd <jlauter@cooley.com>; Hartnett, Kathleen <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>; Llama C-Counsel <llama_cocounsel@bsfllp.com>

Subject: RE: Kadrey v. Meta - Depositions

[External]

David,

We have worked with counsel on your side to get joint submissions prepared and submitted on time on numerous occasions in this case, and we are confident we can work together in good faith to get this one over the finish line as well.

Your continued suggestion that Meta has somehow engaged in delay is not well taken. We met and conferred on the 30(b)(6) topics just yesterday afternoon and walked through each of our positions, which we had also previously provided you in writing. We also met and conferred with respect to Mr. Cox's deposition. We assume based on those discussions that Plaintiffs are already preparing their submission with respect to these issues and understand Meta's positions well enough to do so. Nevertheless, it seems we are coalescing around exchanging initial sections this afternoon (5pm PT) and responses tomorrow morning. To be clear, by "exchanging initial sections" we mean that we are expecting to send you our sections on Cox/30(b)(6) this afternoon at 5PT and expecting to receive your sections on the subpoena and custodian/documents issues at that same time today. As for tomorrow, if both sides commit to a 5pm PT exchange of their initial sections today, we would then ask to exchange responsive sections tomorrow morning by 9am PT (noon Eastern), which will then still allow both sides time to respond to the sections received from the other side and make edits to their original portions. We cannot agree that, upon reviewing your portions for the first time in the morning, we forego our ability to respond or edit our portions, as we will need an opportunity to obtain sign off from our client before filing. Nor is it our experience that Judge Hixson would allow further "reply" briefs. Please let us know what time you are prepared to send us your portions.

Also, as to the stipulation regarding the December 17 deposition, it is short, and we expect to reference that we have moved that issue forward – at the Court's behest – in the briefing.

We are working toward these timeframes. Please confirm that plaintiffs are, too.

Thanks,

Angela

Angela L. Dunning

Cleary Gottlieb Steen & Hamilton LLP

Assistant: malcobendas@cgsh.com

1841 Page Mill Road

Palo Alto, CA 94304-1254

T: +1 650 815 4131

adunning@cgsh.com | clearygottlieb.com

From: David Simons <dsimons@BSFLLP.com>

Sent: Wednesday, October 30, 2024 1:43 PM

To: Morton, Phillip <pmorton@cooley.com>; Maxwell Pritt <mpritt@BSFLLP.com>

Cc: Stameshkin, Liz <lstameshkin@cooley.com>; Lauter, Judd <jlauter@cooley.com>; Dunning, Angela L. <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A

<CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>; Llama C-Counsel <llama_cocounsel@bsfllp.com>

Subject: Re: Kadrey v. Meta - Depositions

Hi Phil,

Thanks for providing those updates. Plaintiffs respond in turn below. We share your goal of allowing both parties adequate time to prepare their respective positions in advance of tomorrow's filing.

Best,
David

1. We all learned yesterday that briefing would be due tomorrow morning. You are correct that, as plaintiffs requested, we are working on our sections of the joint submission pertaining to Mr. Cox's deposition and the 30(b)(6) topics as to which we object so that we can provide those to you in the first instance. We will share those portions of the joint submission with your team later this afternoon, and ask to receive your responsive portion by 9:00am PST tomorrow morning.
 - a. **As Plaintiffs have consistently indicated for almost twenty hours, we have not been in a position to properly draft our sections regarding, *inter alia*, the Cox deposition and the 30(b)(6) deposition notice until we understood Meta's final position on those issues, but Meta has refused to provide us any updates, even on a rolling basis as request. Moreover, we do not understand why Meta asked us yesterday to suggest a briefing schedule, which we did, only for you to ignore it and refuse to offer a counter-proposal or a time certain by which we will receive Meta's position. Given that it's almost COB on the East Coast, it is not workable to receive your positions later today and demand our responses by tomorrow morning. Because we are eager to make this workable for both sides, assuming we get your position on those two issues in**

the next two hours, we will get you our responsive portions by 11am PST so you can file. This is based on the express expectation that you will not make any revisions to your positions. Given the delay in hearing from you, this cannot be a brief where the parties revise to try to add reply arguments. Rather, we can explain in the submission that given the expedited schedule ordered by the court the parties have not had the opportunity to provide replies but are willing to do so if the court requests them.

2. As we have already stated, we will be providing you with our list of 30(b)(6) designees today. We expect to stand on our objections to a number of requests as Judd informed you during our meet and confer call yesterday. Where we can offer further compromises, we will. That is something we are expeditiously attempting to work through with our client and witness designees.
3. When can we expect your edits, if any, to the Zuckerberg stipulation? We'd obviously like to inform the Court in our submission that the stipulation is on file. **Hixson did not order the parties to address this issue in their brief or ask for an update so it's not relevant to the filing tomorrow and as Plaintiffs have stated we will review in due course and get back to Meta.**
4. We still do not understand your "open issue" regarding "whether Meta will accept subpoenas for Zhang and the three former employees in France." We are not in a position to accept subpoenas for former employees, and you haven't sent us any. To the extent you would like to raise this issue with Judge Hixson, please explain what you will be requesting, the basis for your request, and why you believe it is timely. Please also confirm that you will provide your draft section on this issue this afternoon, so that we may respond. We obviously cannot prepare our sections until we know what you are asking for, and we reserve all rights and defenses. **The issue is whether Meta will agree to contact these former employees like Meta has with Zhang and attempt to procure them for deposition as requested by Plaintiffs. We've also asked for all of these witnesses last known contact, repeatedly, and Meta has never responded. We will provide you a draft section on this issue later today.**
5. For the first time in your email below, and without any meet and confer, you now claim you "intend to raise an issue in the letter brief regarding the insufficient production of custodial documents for deponents." Your two complaints appear to be that you have not yet received documents for the new custodians just added to the case on October 4 and that you do not believe you have received a full production from two original custodians, Ms. Pineau and Mr. Clark. Neither issue is appropriate for inclusion in the joint submission, which is supposed to address only issues related to scheduling of depositions. Nevertheless, we feel compelled to point out the following. **Judge Hixson's Order expressly directed the parties to "file a joint discovery letter brief addressing every single issue that is outstanding concerning depositions." We are simply abiding by his Order since this remains an outstanding issue that concerns depositions.**

6. With respect to the first issue, we are actively working on our productions and intend to complete them as quickly as possible on a rolling basis. As you know, Judge Hixson granted plaintiffs' request for 25 total depositions by order dated 10/15 (Dkt. 231), but cautioned in his Order that they would need to proceed irrespective of outstanding requests for documents: "The Court is approving a significant increase in the number of depositions with eight weeks and three days left in fact discovery. ***This will only work if the parties promptly take their allotted depositions with the documents they have from discovery requests they served and from the custodians they identified months ago. This will not work if the parties decline to take depositions until they receive things they don't have yet.***" Pineau and Clark are two of Meta's original custodians, so Judge Hixson's guidance quoted herein is not applicable.
- a. With respect to the second issue, any concerns with respect to the adequacy of our productions for Ms. Pineau and Mr. Clark are without foundation, and any briefing on those issues is now untimely under Judge Chhabria's Scheduling Order. Please confirm that Plaintiffs will withdraw this issue or, at the very least, that we will see Plaintiffs' arguments on these issues this afternoon so we will have time to respond to them. Again, all rights are reserved. **Plaintiffs will not withdraw this issue and disagree with your characterizations. We will provide you a draft section on this issue later today.**

From: Morton, Phillip <pmorton@cooley.com>

Sent: Wednesday, October 30, 2024 4:11 PM

To: David Simons <dsimons@BSFLLP.com>; Maxwell Pritt <mpritt@BSFLLP.com>

Cc: Stameshkin, Liz <lstameshkin@cooley.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com <mlemley@lex-lumina.com>; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>; Llama C-Counsel <llama_cocounsel@bsfllp.com>

Subject: RE: Kadrey v. Meta - Depositions

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David-

Here's where things stand as we see them.

1. We all learned yesterday that briefing would be due tomorrow morning. You are correct that, as plaintiffs requested, we are working on our sections of the joint submission pertaining to Mr. Cox's deposition and the 30(b)(6) topics as to which we object so that we can provide those to you in the first instance. We will share those portions of the joint submission with your team later this afternoon, and ask to receive your responsive portion by 9:00am PST tomorrow morning.
2. As we have already stated, we will be providing you with our list of 30(b)(6) designees today. We expect to stand on our objections to a number of requests as Judd informed you during our meet and confer call yesterday. Where we can offer further compromises, we will. That is something we are expeditiously attempting to work through with our client and witness designees.
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5. For the first time in your email below, and without any meet and confer, you now claim you "intend to raise an issue in the letter brief regarding the insufficient production of custodial documents for deponents." Your two complaints appear to be that you have not yet received documents for the new custodians just added to the case on October 4 and that you do not believe you have received a full production from two original custodians, Ms. Pineau and Mr. Clark. Neither issue is appropriate for inclusion in the joint submission, which is supposed to address only issues related to scheduling of depositions. Nevertheless, we feel compelled to point out the following.

- a. With respect to the first issue, we are actively working on our productions and intend to complete them as quickly as possible on a rolling basis. As you know, Judge Hixson granted plaintiffs' request for 25 total depositions by order dated 10/15 (Dkt. 231), but cautioned in his Order that they would need to proceed irrespective of outstanding requests for documents: "The Court is approving a significant increase in the number of depositions with eight weeks and three days left in fact discovery. ***This will only work if the parties promptly take their allotted depositions with the documents they have from discovery requests they served and from the custodians they identified months ago. This will not work if the parties decline to take depositions until they receive things they don't have yet.***"
- b. With respect to the second issue, any concerns with respect to the adequacy of our productions for Ms. Pineau and Mr. Clark are without foundation, and any briefing on those issues is now untimely under Judge Chhabria's Scheduling Order. Please confirm that Plaintiffs will withdraw this issue or, at the very least, that we will see Plaintiffs' arguments on these issues this afternoon so we will have time to respond to them. Again, all rights are reserved.

We trust both sides are working diligently to prepare their respective sections (as reflected above) for mutual exchange this afternoon, so that we can both provide our responsive sections tomorrow morning in time to harmonize and finalize the submission by noon. Please confirm.

Thanks,

Phil

From: David Simons <dsimons@BSFLLP.com>
Sent: Wednesday, October 30, 2024 1:44 PM
To: Morton, Phillip <pmorton@cooley.com>; Maxwell Pritt <mpritt@BSFLLP.com>
Cc: Stameshkin, Liz <lstameshkin@cooley.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Hartnett, Kathleen <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>;

Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>; Llama C-Counsel <llama_cocounsel@bsfllp.com>

Subject: Re: Kadrey v. Meta - Depositions

[External]

Hi Phil,

You have now had Plaintiffs' proposal for 17 hours. We drafted it within two hours of you requesting that we do so. "Later this afternoon" will not work as the counsel for Plaintiffs principally involved in this issue are located on the East Coast such that they will not have adequate time during the business day (or even reasonably thereafter) to respond. If there is a counter-proposal you would like to share, we are happy to review it to try to reach agreement, but further delay is not productive and compounds the growing prejudice to Plaintiffs.

Time is of the essence given that our letter-brief is due in just over 24 hours and Plaintiffs have not received any of the information from Meta that we have requested, all of which is necessary to draft Plaintiffs' responsive positions. It appears that rather than negotiate in good faith, Meta is instead actively drafting its own position rather than sharing that basic information with Plaintiffs. Plaintiffs reserve all rights.

With respect to the Zuckerberg stipulation, we will review it in due course in light of Judge Hixson's order yesterday.

We also intend to raise an issue in the letter brief regarding the insufficient production of custodial documents for deponents. To date, Plaintiffs have not received any custodial documents from the custodians Judge Hixson added on October 4, and we have repeatedly raised issues with the extremely limited production of custodial documents from some of Meta's original ten self-selected custodians, namely thus far Ms. Pineau and Mr. Clark. Meta has not responded to those inquiries.

Best,

David

From: Morton, Phillip <pmorton@cooley.com>
Sent: Wednesday, October 30, 2024 1:16 PM
To: David Simons <dsimons@BSFLLP.com>; Maxwell Pritt <mpritt@BSFLLP.com>
Cc: Stameshkin, Liz <lstameshkin@cooley.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com <mlemley@lex-lumina.com>; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>; Llama C-Counsel <llama_cocounsel@bsfllp.com>
Subject: RE: Kadrey v. Meta - Depositions

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David-

We are still discussing internally a reasonable time frame for exchange. 11am is not feasible given the number of issues that need to be covered following our discussion yesterday. We are expecting it will be later this afternoon. We will revert back soon.

Please confirm the stipulation regarding Mr. Zuckerberg is acceptable so we can promptly take that issue off the table.

Also, please answer our question asking you to clarify what you are going to ask the Court to compel Meta to do in your "open issue" regarding "whether Meta will accept subpoenas for Zhang and the three former employees in France."

We will assume you are not pursuing any other issues given your silence on that question.

Thanks,
Phil

From: David Simons <dsimons@BSFLLP.com>
Sent: Wednesday, October 30, 2024 11:51 AM
To: Morton, Phillip <pmorton@cooley.com>; Maxwell Pritt <mpritt@BSFLLP.com>
Cc: Stameshkin, Liz <lstameshkin@cooley.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Hartnett, Kathleen <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>; Llama C-Counsel <llama_cocounsel@bsfllp.com>
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[External]

Hi Phil,

Following up on our proposed schedule, which we sent 15 hours ago. Given that the letter-brief is due tomorrow we need to nail this down ASAP, so appreciate getting a timely response. In particular, we await Meta's final positions on (1) the Cox depo, (2) the list of designees for all noticed topics, and (3) on many of Meta's 30(b)(6) objections or limitations that you took under advisement yesterday. Without that information, Plaintiffs are unable to draft our portion of the letter brief, so Meta's continued delay in providing that information is causing ever-increasing prejudice. We kindly request that you provide Meta's positions on each of the above topics, on a rolling basis, as soon as Meta has the applicable information so as to minimize that prejudice.

Plaintiffs reserve all rights.

We can confirm the dates you provided yesterday for Mr. Boesenberg and Mr. Acharya. And yes, those are the three former employees in France I was referring to.

Best,

David

From: Morton, Phillip <pmorton@cooley.com>
Sent: Tuesday, October 29, 2024 11:01 PM
To: David Simons <dsimons@BSFLLP.com>; Maxwell Pritt <mpritt@BSFLLP.com>
Cc: Stameshkin, Liz <lstameshkin@cooley.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com <mlemley@lex-lumina.com>; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>; Llama C-Counsel <llama_cocounsel@bsfllp.com>
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David-

Thanks for your email. We will get back to you on the proposed schedule.

In the interim, attached is a draft stipulation regarding Mr. Zuckerberg's deposition. Please confirm we have your assent to file.

Could you please clarify what you are going to ask the Court to compel Meta to do in your "open issue" regarding "whether Meta will accept subpoenas for Zhang and the three former employees in France"? Additionally, we presume the "three former employees in France" you are referring to are Guillaume Lample, Edouard Grave and Aurelien Rodriguez, but please confirm.

Also, to the extent you intend to raise "one or two other issues," we need to know what they are immediately so that we can brief them in the time allotted (assuming there is an impasse).

Thanks,
Phil

From: David Simons <dsimons@BSFLLP.com>

Sent: Tuesday, October 29, 2024 8:55 PM

To: Morton, Phillip <pmorton@cooley.com>; Maxwell Pritt <mpritt@BSFLLP.com>

Cc: Stameshkin, Liz <lstameshkin@cooley.com>; Lauter, Judd <jlauter@cooley.com>; Angela L.

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[External]

Hi Phil,

We are checking availability on those additional depositions and will revert.

In terms of responding to Judge Hixson's order, given that Meta plans to move for a protective order as to the Cox deposition and to otherwise limit the scope of the 30(b)(6) topics, we think Meta should first provide its position and also be the party to handle the actual filing. Please confirm.

With regards to a proposed schedule, the largest number of open issues relate to whether Meta is reconsidering some of its objections to the 30(b)(6) deposition notice, so Plaintiffs will need some time to understand what your final positions are so we can respond accordingly. As such, we propose that Meta provides a draft of its positions by 11am Pacific tomorrow, with Plaintiffs responding by 8pm Pacific. Meta will then send back any revisions by 8am Pacific on 10/31, and Plaintiffs will send their final revisions by 10am Pacific on 10/31. Please let us know if this is agreeable or if you have any suggested revisions.

Finally, in terms of the issues that will be contained in the joint letter brief, is Meta planning to provide designees for all noticed topics tomorrow? If that is not the case, then that will still be a live issue. We also plan to include as an open issue whether Meta will accept subpoenas for Zhang and the three former employees in France. We are still conferring internally, so it is possible there may be one or two other issues we would like to raise, and will let you know if that is the case.

Best,

David

From: Morton, Phillip <pmorton@cooley.com>

Sent: Tuesday, October 29, 2024 7:07 PM

To: Maxwell Pritt <mpritt@BSFLLP.com>

Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>;
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Max-

To follow up on Judge Hixson's order, we have several updates on deposition issues.

First, we have checked again with Mr. Boesenberg and Mr. Acharya on dates. We can offer Mr. Boesenberg on Monday, November 18th (Bay Area) and Mr. Acharya on Thursday, November 21st (Bay Area). Please confirm so we can moot this issue for the status report.

Second, we will circulate our 30(b)(6) designees tomorrow, which should moot that issue.

Third, we are preparing a joint stipulation regarding Mr. Zuckerberg's deposition which should moot that issue once entered by Judge Chhabria.

Finally, please confirm what issues the parties are briefing for this joint letter brief. We understand that the live issues are (1) Mr. Cox's deposition and (2) disputes over certain topics and objections to Plaintiffs' 30(b)(6) notice to Meta. We are considering the parties' discussions in the meet and confer and will circle back if we have any proposed compromises. To the extent Plaintiffs have any suggested compromises, we'd be happy to hear them. In addition, if Plaintiffs have a proposed briefing schedule, we'd be happy to entertain it.

Thanks,
Phil

From: Maxwell Pritt <mpritt@BSFLLP.com>
Sent: Tuesday, October 29, 2024 3:39 PM
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Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>;
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<DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>
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[External]

Yes, thank you.

Best,

Max

From: Morton, Phillip <pmorton@cooley.com>
Sent: Tuesday, October 29, 2024 12:31 PM
To: Maxwell Pritt <mpritt@BSFLLP.com>
Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>;
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Max-

We disagree that this is an appropriate use of a status report on depositions. We have made the attached changes.

Please confirm we have permission to file with your signature.

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Subject: RE: Kadrey v. Meta - Depositions

[External]

We do not agree to your deletion of anything in our position statement. Please use the attached version and file.

Thank you.

Best,

Max

From: Morton, Phillip <pmorton@cooley.com>
Sent: Tuesday, October 29, 2024 12:06 PM
To: Maxwell Pritt <mpritt@BSFLLP.com>
Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>;
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<aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri
<jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>;
Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>;
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<DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>
Subject: RE: Kadrey v. Meta - Depositions

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Max-

Here's a redline. Please confirm this is acceptable to file.

From: Maxwell Pritt <mpritt@BSFLLP.com>
Sent: Tuesday, October 29, 2024 1:52 PM
To: Morton, Phillip <pmorton@cooley.com>
Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>;
Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Hartnett, Kathleen
<khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>;
Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>;
Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark
<mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon
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<DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>
Subject: RE: Kadrey v. Meta - Depositions

[External]

Please use this version, fixing a nit.

Best,

Max

From: Maxwell Pritt <mpritt@BSFLLP.com>
Sent: Tuesday, October 29, 2024 10:49 AM
To: Morton, Phillip <pmorton@cooley.com>
Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>;
Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Kathleen Hartnett
<khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>;
Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>;
Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark

<mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsflp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>
Subject: RE: Kadrey v. Meta - Depositions

Counsel,

Plaintiffs' changes are attached.

Best,
Max

From: Morton, Phillip <pmorton@cooley.com>
Sent: Tuesday, October 29, 2024 9:20 AM
To: Maxwell Pritt <mpritt@BSFLLP.com>
Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsflp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>
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Counsel-

We have prepared a draft of the joint status report due today. We have kept a similar tone as last week's report. Please let us know if you have any comments or changes.

Thanks,

Phil

From: Morton, Phillip <pmorton@cooley.com>
Sent: Tuesday, October 29, 2024 9:35 AM
To: Maxwell Pritt <mpritt@BSFLLP.com>
Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>;
Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Hartnett, Kathleen
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<DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>
Subject: RE: Kadrey v. Meta - Depositions

Max-

Thank you for confirming. We have heard back from third party Mr. Roller and he can be available on Wednesday, December 11th in NYC. Please confirm.

Thanks,
Phil

From: Maxwell Pritt <mpritt@BSFLLP.com>
Sent: Tuesday, October 29, 2024 12:53 AM
To: Morton, Phillip <pmorton@cooley.com>
Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>;
Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Hartnett, Kathleen
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<DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>
Subject: Re: Kadrey v. Meta - Depositions

[External]

Phil,

I think we've worked things out to confirm Mr. LeCun's deposition on 11/21 in Palo Alto. Thank you.

Best,

Max

From: Maxwell Pritt <mpritt@BSFLLP.com>

Sent: Monday, October 28, 2024 4:22 PM

To: Morton, Phillip <pmorton@cooley.com>

Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>;
Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Kathleen Hartnett
<khartnett@cooley.com>; mlemley@lex-lumina.com <mlemley@lex-lumina.com>; Ghajar, Bobby
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Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada
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<JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey
<zmetakadrey@cooley.com>

Subject: Re: Kadrey v. Meta - Depositions

Thank you for your email, Phil. We can confirm 11/14 for Ms. Kallet's deposition in NYC, 11/15 for Ms. Fan's deposition in NYC, and 12/5 for Mr. Choudhury's deposition in the Bay Area. Regarding Mr. LeCun's change in location for his deposition on 11/21 from NYC to Palo Alto, that does not work for us presently so please provide his additional availability (and locations) prior to 12/13. We also will let you know if that changes and we can make 11/21 work (or 11/22 if he's in Palo Alto and the date still works). Please also provide the additional availability prior to 12/13 for Messrs. Boesenberg and Acharya as the dates offered do not work.

Please advise when Meta will be producing custodial documents for the additional custodians ordered by Judge Hixson at the beginning of the month.

We understand we will be meeting and conferring tomorrow on any objections Meta intends to raise to our 30(b)(6) topics and identification of Meta's witnesses.

We will be sending over today a proposed briefing stip and admin motion to address extant discovery disputes, and we request Meta's prompt response.

Thank you.

Best,

Max

From: Morton, Phillip <pmorton@cooley.com>
Sent: Monday, October 28, 2024 3:36 PM
To: Maxwell Pritt <mpritt@BSFLLP.com>
Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>;
Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Kathleen Hartnett
<khartnett@cooley.com>; mlemley@lex-lumina.com <mlemley@lex-lumina.com>; Ghajar, Bobby
A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio
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<JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey
<zmetakadrey@cooley.com>
Subject: Re: Kadrey v. Meta - Depositions

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Max-

Thank you for confirming Mr. Bell's deposition. We have the following additional depositions to offer: 1) Amanda Kallet – November 14 (NYC), 2) Angela Fan – November 15 (NYC), 3) Alex Boesenberg – November 14 (Bay Area), 4) Amrish Acharya – November 19 (Bay Area), and 5) Sy Choudhury - December 5 (Bay Area). Please confirm.

Due to Mr. LeCun's travel schedule, the location of Mr. LeCun's deposition will need to move to Palo Alto, CA, but it can still go forward on 11/21 as previously agreed.

We will circle back on the location of Ms. Pineau's deposition - we are confirming a law firm's space

in Montreal. Mr. Edunov's deposition will take place at Cooley LLP, 3175 Hanover Street, Palo Alto, CA 94304

Regarding third party Mr. Roller, we are working with him to identify an alternative date. Other than Mr. Roller and Mr. Cox (which the parties are meeting and conferring about tomorrow), all of the Meta witnesses should now be scheduled for deposition.

Regarding the reproduction of documents, we have another reproduction going out today. As of today, over 90% of the documents subject to reproduction will have been reproduced (1,539 total documents reproduced). We have a small batch remaining (under 150 documents) that we expect will be completed by Thursday as we have previously communicated. We have also prioritized any documents related to Ms. Nayak so you have those in advance of the deposition.

Regarding the 30(b)(6) objections and responses, those will be served shortly. We will not be identifying any 30(b)(6) designees today as we are still confirming those designations with the witnesses, but it is our current expectation that we will be designating witnesses from the group of witnesses Plaintiffs already requested for deposition. Regarding this week's deposition, we will not be presenting Ms. Nayak on any 30(b)(6) topics.

Regarding your letter on the privilege log, as we told you Friday, while reserving and without waiver of any rights or objections, we will be providing an additional response this week.

We will respond separately to Mr. Forbush's email on Existing Written Discovery disputes.

Thanks,

Phil

From: Maxwell Pritt <mpritt@BSFLLP.com>

Sent: Monday, October 28, 2024 1:24 PM

To: Morton, Phillip <pmorton@cooley.com>

Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>;

Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Hartnett, Kathleen

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Subject: RE: Kadrey v. Meta - Depositions

[External]

Counsel, we are still awaiting your responses to the issues below. Also, please provide the location for Ms. Pineau's deposition and Mr. Edunov's deposition.

Thank you.

Best,
Max

From: Maxwell Pritt <mpritt@BSFLLP.com>

Sent: Friday, October 25, 2024 2:50 PM

To: Morton, Phillip <pmorton@cooley.com>

Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>;

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Subject: RE: Kadrey v. Meta - Depositions

Counsel, we can confirm Mr. Bell on 12/11. Please get back to us on the other issues we've raised, including the reproduction of documents that don't anonymize commenters or cut off comments; the lack of custodial documents for Ms. Pineau who Meta represented was one of its original 10 custodians; the dates of 11/25 or 26 for Mr. Roller's deposition; the identity of Meta's 30(b)(6) designees by topic and any objections Meta intends to stand on; the issues we've raised regarding Meta's amended privilege logs and production of redacted/withheld documents; and the several requests in Reed's 12:35PM email on discovery issues that, at least at that time, we were not yet at an impasse.

Thank you.

Best,

Max

From: Maxwell Pritt <mpritt@BSFLLP.com>

Sent: Friday, October 25, 2024 9:24 AM

To: Morton, Phillip <pmorton@cooley.com>

Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsflfp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>

Subject: RE: Kadrey v. Meta - Depositions

Apologies, I understand you did already provide location for Ms. Nayak. Please let us know about the reproductions. Thank you.

Best,
Max

From: Maxwell Pritt <mpritt@BSFLLP.com>
Sent: Friday, October 25, 2024 9:11 AM
To: Morton, Phillip <pmorton@cooley.com>
Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>;
Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Kathleen Hartnett
<khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>;
Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>;
Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark
<mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon
<hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera
<aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri
<jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>;
Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>;
Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>;
James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>;
Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>;
David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander
Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama
BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies
<DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>
Subject: RE: Kadrey v. Meta - Depositions

Good morning, Phil and Liz.

We haven't heard back on the location for Ms. Nayak's deposition next Thursday, so please let us know today.

Please also confirm you will be re-producing today the corrected versions of documents that include the names of the individuals in comment bubbles and the complete/full comments. If you cannot produce them today, please confirm you will do so by Monday or provide an explanation of the timing and delay so we can raise it with the Court in next Tuesday's status report. Thank you.

Best,
Max

From: Maxwell Pritt <mpritt@BSFLLP.com>
Sent: Wednesday, October 23, 2024 2:43 PM
To: Morton, Phillip <pmorton@cooley.com>
Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <DSimons@BSFLLP.com>;
Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Kathleen Hartnett
<khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>;
Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>;
Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark
<mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon
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<jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>;
Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>;
Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>;
James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>;
Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>;
David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander
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BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies
<DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>
Subject: RE: Kadrey v. Meta - Depositions

Phil, we can confirm Mr. Clark on 11/13 instead of 11/14. We can also confirm Mr. Touvron on 12/3, Mr. Scialom on 12/5, and Mr. Bashlykov on 12/6. Regarding Ms. Nayak, can you please let us know the location for her deposition?

Thank you.

Best,

Max

From: Maxwell Pritt <mpritt@BSFLLP.com>
Sent: Wednesday, October 23, 2024 1:50 PM
To: Morton, Phillip <pmorton@cooley.com>
Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>;
Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Kathleen Hartnett
<khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>;
Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>;
Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark
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Subject: RE: Kadrey v. Meta - Depositions

Apologies, Phil, that I can't confirm the week of 11/18 for Mr. Roller either. But I could confirm 11/25 or 11/26. Please let me know if we can lock either in.

Thank you.

Best,

Max

From: Maxwell Pritt <mpritt@BSFLLP.com>

Sent: Wednesday, October 23, 2024 12:58 PM

To: Morton, Phillip <pmorton@cooley.com>

Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsflfp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>

Subject: RE: Kadrey v. Meta - Depositions

Unfortunately I can't confirm 11/1 in NY for Mr. Roller. If he is unavailable for his deposition in the 11/25-12/11 window, please let us know his availability the week of 11/18. Thank you.

Best,

Max

From: Morton, Phillip <pmorton@cooley.com>
Sent: Wednesday, October 23, 2024 12:49 PM
To: Maxwell Pritt <mpritt@BSFLLP.com>
Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>;
Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Kathleen Hartnett
<khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>;
Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>;
Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark
<mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon
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Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>;
Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>;
James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>;
Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>;
David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander
Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama
BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies
<DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>
Subject: RE: Kadrey v. Meta - Depositions

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Max-

Mr. Roller is a third party and has specifically asked to have his deposition taken sooner. Please confirm.

Thanks,
Phil

From: Maxwell Pritt <mpritt@BSFLLP.com>
Sent: Wednesday, October 23, 2024 3:45 PM
To: Morton, Phillip <pmorton@cooley.com>
Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>;
Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Hartnett, Kathleen
<khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>;
Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>;
Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark
<mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon
<hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera
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Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>;
David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander
Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama
BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies
<DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>
Subject: RE: Kadrey v. Meta - Depositions

[External]

Thanks, Phil. We'll get back to you on London dates and we appreciate you trying to coordinate them. We asked for Mr. Roller's availability between 11/25 and 12/11—please let us know re those weeks.

Best,

Max

From: Morton, Phillip <pmorton@cooley.com>
Sent: Wednesday, October 23, 2024 12:39 PM
To: Maxwell Pritt <mpritt@BSFLLP.com>
Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>;
Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Kathleen Hartnett
<khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>;

Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>
Subject: RE: Kadrey v. Meta - Depositions

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Max-

As an additional update, Stephen Roller will be available on Friday, November 1 (New York). Please confirm.

Thanks,
Phil

From: Morton, Phillip
Sent: Wednesday, October 23, 2024 2:03 PM
To: Maxwell Pritt <mpritt@bsfllp.com>
Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@bsfllp.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Hartnett, Kathleen <khartnett@cooley.com>; mlemley@lex-lumina.com <mlemley@lex-lumina.com>; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@bsfllp.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri

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Subject: RE: Kadrey v. Meta - Depositions

Hi Max-

We have a few more deposition updates:

Mike Clark has a personal obligation that has arisen on November 14. His deposition will need to go forward on November 13 instead (still in Denver). Please confirm.

Regarding the EU/UK employee-witnesses, we were able to get them all scheduled during a single week in London. Hugo Touvron will be offered on Tuesday, December 3; Thomas Scialom will be offered on Thursday, December 5; and Nikolay Bashlykov will be offered on Friday, December 6th. Please confirm.

Thanks,
Phil

From: Morton, Phillip <pmorton@cooley.com>
Sent: Tuesday, October 22, 2024 3:01 PM
To: Maxwell Pritt <mpritt@bsflfp.com>
Cc: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@bsflfp.com>; Lauter, Judd <jlauter@cooley.com>; Angela L. Dunning <adunning@cgsh.com>; Hartnett, Kathleen <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>; Jesse Panuccio <jpanuccio@bsflfp.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri

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Subject: Re: Kadrey v. Meta - Depositions

Max-

We checked with Mr. LeCun again and he is available on Thursday, November 21, one of the days you specifically requested. Please confirm.

Thanks,

Phil

On Oct 22, 2024, at 11:50 AM, Maxwell Pritt <mpritt@bsflfp.com> wrote:

[External]

Thanks, Phil. Responses inline below in red font.

Best,

Max

From: Morton, Phillip <pmorton@cooley.com>

Sent: Tuesday, October 22, 2024 8:16 AM

To: Maxwell Pritt <mpritt@BSFLLP.com>; Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Dunning, Angela L. <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>

Cc: Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden

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Max-

All of these witnesses have very busy work schedules, as well as family and personal obligations that they have to move around for these depositions. As you may have noticed, we have tried to give you witnesses in the requested date ranges wherever possible, including Mr. LeCun and Ms. Nayak. Regarding Ms. Nayak, if we are going to meet this schedule we need to get at least one deposition on calendar before November. We disagree that busy work schedules—which of course are commonplace—could possibly excuse Meta not providing multiple dates in a two-month window. And we have immediately accepted almost all of the other single deposition dates for witnesses that Meta provided after receiving your emails as to those witnesses and dates. Also, to be clear, we asked for dates starting this Friday and Meta has provided a single witness in October. As for Ms. Nayak, I said the single date provided (Halloween) was difficult and asked for other dates around that time (or other times), but Meta refused to provide any. In any event, we will make that date work for Ms. Nayak. We cannot make the single date offered for Mr. LeCun work so please provide alternate dates.

We are continuing to work on scheduling people in London, which is complicated by the fact we are voluntarily bringing employee-witnesses from Paris to London. We hope to have that resolved soon. Thank you.

Regarding Mr. Rodriguez, we updated the initial disclosures last night. We asked that Meta provide his last known contact information—please do so. In any event, as he is

still on your Rule 26 disclosures and thus someone Meta represents it may use to support its claims or defenses so Meta must produce him for deposition. Please let us know his availability for deposition and where you will make him available.

With respect to Mr. Cox, we believe under the apex doctrine and in view of other depositions and discovery sought, his deposition should not go forward. We would like to understand why Plaintiffs have suddenly identified him. In the event the Court is inclined to permit his deposition, we believe it should be extremely limited in time. We disagree with your characterization on timing. We also disagree any deposition of Mr. Cox should be limited but are happy to schedule a meet and confer. In the meantime, as requested, please provide his availability for deposition as we've requested.

We also note that while Meta has been diligently identifying dates for witnesses and otherwise responding to your inquiries, we have received no response to our October 15 request for the depositions of Matthew Klam and Rachel Snyder. Please respond to this request today. Likewise, please provide availability for Mr. Farnsworth's deposition without further delay. We disagree with your attempt to suggest that Meta has been diligent and Plaintiffs have not; that is incorrect and these sort of statements are not productive so hopefully we can leave them out moving forward. As for the dates you've requested, including now for Mr. Farnsworth, we will follow-up with the other firms who will be handling their depositions and ask them to get back to you as soon as possible.

Thank you preparing the joint status report draft. We trust that it will be non-argumentative and reflect the progress that Meta and Plaintiffs have made scheduling Meta's depositions. We hope so but welcome any redlines.

Regards,

Phil

From: Maxwell Pritt <mpritt@BSFLLP.com>
Sent: Monday, October 21, 2024 11:07 PM
To: Morton, Phillip <pmorton@cooley.com>; Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Dunning, Angela L. <adunning@cgsh.com>; Hartnett, Kathleen <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>
Cc: Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden

Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>
Subject: RE: Kadrey v. Meta - Depositions

[External]

Thanks, Phil.

Regarding Mr. LeCunn's and Ms. Nayak's depositions, given that Meta is refusing to provide any alternate dates we will include in the status report that the parties have a dispute as to their scheduling. Please confirm that that the single dates you proposed initially are the only dates in the next two months these witnesses are available or can make themselves available.

We tentatively confirm Mr. Clark for 11/14. In addition, thank you for letting us know you will accept service of a subpoena on Mr. Roller—can you let us know his availability between 11/25 and 12/11?

Also, you we are still awaiting Meta's response to our request for clarification as to your representation of Aurelian Rodriguez in light of his identification on Meta's amended initial disclosures. Further, we are still waiting for your response on the other UK/EU witnesses before confirming Mr. Scialom for 12/5 in the hopes that the parties can agree to schedule those witnesses around the same time.

Regarding Mr. Cox, please let us now what you would like to M&C about and in the meantime provide his availability. We can meet and confer when you propose dates and times to M&C about 30(b)(6) topics.

Finally, Judge Hixson did not direct Plaintiffs to send you a draft status report by 9am

pacific or even that we prepare the initial draft. But we will do so and provide it to you in advance of the noon deadline.

Best,

Max

From: Morton, Phillip <pmorton@cooley.com>
Sent: Monday, October 21, 2024 7:16 PM
To: Maxwell Pritt <mpritt@BSFLLP.com>; Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Dunning, Angela L. <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>
Cc: Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>
Subject: RE: Kadrey v. Meta - Depositions

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Maxwell –

As a further update, we can offer Mike Clark on Thursday, November 14 (Denver). We are also authorized to accept service of a deposition subpoena for Steven Roller.

Regarding Mr. LeCunn and Ms. Nayak, we are offering the dates they have available. Please confirm.

We would also like to meet and confer regarding your request for a deposition of Mr. Chris Cox.

Given we have a status report on depositions due tomorrow, please send us a draft by 9am Pacific Time.

Thanks,
Phil

From: Maxwell Pritt <mpritt@BSFLLP.com>
Sent: Monday, October 21, 2024 4:46 PM
To: Morton, Phillip <pmorton@cooley.com>; Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Dunning, Angela L. <adunning@cgsh.com>; Hartnett, Kathleen <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>
Cc: Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>
Subject: RE: Kadrey v. Meta - Depositions

[External]

Hi Phil,

In response to your other email, we tentatively can confirm Chaya Nayak on 10/31 (SF), though that date is difficult so we would appreciate if you can let us know additional availability the following week.

We are still waiting to confirm Mr. Scialom for 12/5 until we hear back from you about the other UK/EU witnesses, and waiting to confirm Yann LeCun until we hear back about the alternate dates we requested.

Separately, Meta appears to have produced relatively few documents (little to no emails, mostly academic papers) from Ms. Pineau even though we understand was one of the initial custodians selected by Meta. Can you please confirm that Meta searched Ms. Pineau's custodial files (including all email and messaging accounts) for all potentially relevant and responsive information?

Thank you.

Best,

Max

From: Maxwell Pritt <mpritt@BSFLLP.com>
Sent: Monday, October 21, 2024 9:05 AM
To: Morton, Phillip <pmorton@cooley.com>; Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Dunning, Angela L. <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>
Cc: Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen

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Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile
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<JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey
<zmetakadrey@cooley.com>

Subject: RE: Kadrey v. Meta - Depositions

Thanks, Phil.

We get back to you re Mr. Scialom, but will you be proposing the other London/EU
depositions around that same time to consolidate?

Can confirm re: Messrs. Kerr (11/26), Nho (12/6), and Rao (12/13).

For Mr. LeCunn, 11/22 does not work currently—could we make 11/21, 11/24, or even
11/23 work?

Best,

Max

From: Morton, Phillip <pmorton@cooley.com>

Sent: Monday, October 21, 2024 8:58 AM

To: Maxwell Pritt <mpritt@BSFLLP.com>; Stameshkin, Liz
<lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd
<jlauter@cooley.com>; Dunning, Angela L. <adunning@cgsh.com>; Kathleen
Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A.
<bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>

Cc: Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A
<CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark
<mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden
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Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>

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Counsel-

We can additionally offer Thomas Scialom on Thursday, December 5th (London). Please confirm this and the other four offered last night in the email immediately below.

Thanks,

Phil

From: Morton, Phillip <pmorton@cooley.com>
Sent: Sunday, October 20, 2024 11:11 PM
To: Maxwell Pritt <mpritt@BSFLLP.com>; Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Dunning, Angela L. <adunning@cgsh.com>; Hartnett, Kathleen <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>
Cc: Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen

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Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile
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<JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey
<zmetakadrey@cooley.com>

Subject: RE: Kadrey v. Meta - Depositions

Counsel-

We can additionally offer Yann LeCunn on Friday, November 22nd (New York), Logan
Kerr on Tuesday, November 26th (Bay Area), Eugene Nho on Friday, December
6th (Bay Area), and Arun Rao on Friday, December 13th (Bay Area). Please confirm.

Thanks,
Phil

From: Maxwell Pritt <mpritt@BSFLLP.com>
Sent: Sunday, October 20, 2024 2:00 PM
To: Morton, Phillip <pmorton@cooley.com>; Stameshkin, Liz
<lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd
<jlauter@cooley.com>; Dunning, Angela L. <adunning@cgsh.com>; Hartnett,
Kathleen <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A.
<bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>
Cc: Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A
<CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark
<mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden
Benon <hbenon@saverilawfirm.com>; Christopher Young
<cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio
Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>;
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<MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David

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[External]

Thank you, Phil. Confirmed as to Ms. Pineau and Mr. Edunov on 11/6.

Best,
Max

From: Morton, Phillip <pmorton@cooley.com>

Sent: Sunday, October 20, 2024 5:59 AM

To: Maxwell Pritt <mpritt@BSFLLP.com>; Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Dunning, Angela L. <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>

Cc: Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>

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Max-

Thanks. We will circle back on these.

As an update, we are offering Joelle Pineau on Wednesday, November 6th (Montreal) and Sergey Edunov on Wednesday, November 6th (Bay Area). Please confirm.

Thanks,
Phil

From: Maxwell Pritt <mpritt@BSFLLP.com>
Sent: Sunday, October 20, 2024 1:55 AM
To: Morton, Phillip <pmorton@cooley.com>; Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Dunning, Angela L. <adunning@cgsh.com>; Hartnett, Kathleen <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>
Cc: Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>
Subject: Re: Kadrey v. Meta - Depositions

[External]

Phil,

In addition to the requested information below, please also provide dates between 11/11 and 12/14 for Susan Zhang, Thomas Scialom, and Sy Choudhury. We'd be providing these names in light of your assertion that you will not be representing Guillaume Lample, Edouard Grave, or Aurelien Rodriguez. We still intend to seek discovery from them but recognize the complications of doing so in the discovery period based on our understanding that they reside and work abroad. Thank you.

Best,

Max

From: Maxwell Pritt <mpritt@BSFLLP.com>
Sent: Friday, October 18, 2024 8:05 PM
To: Morton, Phillip <pmorton@cooley.com>; Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Dunning, Angela L. <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com <mlemley@lex-lumina.com>; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>
Cc: Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>
Subject: Re: Kadrey v. Meta - Depositions

Thank you, Phil.

Aurelian Rodriguez is on Meta's amended initial disclosures and says contact through Cooley--please advise. If that is in fact no longer the case, please let us know when that changed and his last known contact information. Please also let us know the other former employees' last known contact information.

Best,

Max

From: Morton, Phillip <pmorton@cooley.com>

Sent: Friday, October 18, 2024 5:56 PM

To: Maxwell Pritt <mpritt@BSFLLP.com>; Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Dunning, Angela L. <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com <mlemley@lex-lumina.com>; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>

Cc: Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>

Subject: RE: Kadrey v. Meta - Depositions

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Counsel,

Thank you for sending the list of witnesses. We are assessing and actively working to identify dates of availability. We will circle back soon.

Regarding Guillaume Lample, Edouard Grave, Aurelien Rodriguez, and Steven Roller, we do not currently represent these former employees and are therefore not authorized to accept service for these individuals.

Please let us know how you intend to proceed. If you intend to forego these depositions and take others in their place, we would need to know that immediately and reserve all rights.

Thanks,
Phil

From: Maxwell Pritt <mpritt@BSFLLP.com>
Sent: Thursday, October 17, 2024 4:54 PM
To: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Dunning, Angela L. <adunning@cgsh.com>; Hartnett, Kathleen <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>
Cc: Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>

Subject: RE: Kadrey v. Meta - Depositions

[External]

Counsel,

We presently intend to notice depositions of the following individuals. Please let us know the following witnesses' availability between 10/24 and 11/8, and confirm their locations: Angela Fan, Mike Clark, Joelle Pineau, Chaya Nayak, and Sergey Edunov. Please let us know the following witnesses' availability between 11/11 and 11/27, and confirm their locations: Guillaume Lample, Edouard Grave, Nikolay Bashlykov, Alex Boesenberg, Yann LeCunn, Amanda Kallet, Aurelien Rodriguez, and Hugo Touvron. We understand some of these individuals are former Meta employees so please let us now if you will be representing those individuals. Finally, please let us know the following witnesses' availability between 12/2 and 12/13: Logan Kerr, Chris Cox, Eugene Nho, Steven Roller, Sean Bell, Amrish Acharya, and Arun Rao. If any individuals are not available in the requested date ranges, please let us know their subsequent availability (or for those in the later date range, all of their availability before 12/13).

Also, we have asked repeatedly that Meta identify PMKs for our topics, including again on yesterday's M&C—please do so and provide their availability, or let us know by when you will provide that information, so that we can include it in the Tuesday report to Judge Hixson.

Thank you.

Best,

Max

From: Maxwell Pritt

Sent: Tuesday, October 15, 2024 4:31 PM

To: Stameshkin, Liz <lstameshkin@cooley.com>; David Simons <DSimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Dunning, Angela L. <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>;

lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>
Cc: Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David Straite <dstraite@dicellolevitt.com>; Ruby Ponce <rponce@saverilawfirm.com>; Alexander Sweatman <ASweatman@caffertyclobes.com>; Heaven Haile <hhaile@saverilawfirm.com>; Llama BSF <Llama_BSF@bsfllp.com>; Josh Schiller <JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>

Subject: RE: Kadrey v. Meta - Depositions

Thank you, Liz. We will endeavor to do so tomorrow. Please let us know tomorrow as well who you will be designating for each of the 30(b)(6) topics in the amended notice we served a week ago.

Best,

Max

From: Stameshkin, Liz <lstameshkin@cooley.com>
Sent: Tuesday, October 15, 2024 4:06 PM
To: David Simons <dsimons@BSFLLP.com>; Lauter, Judd <jlauter@cooley.com>; Dunning, Angela L. <adunning@cgsh.com>; Kathleen Hartnett <khartnett@cooley.com>; mlemley@lex-lumina.com; Ghajar, Bobby A. <bghajar@cooley.com>; Ghazarian, Colette A <cghazarian@cooley.com>
Cc: Jesse Panuccio <jpanuccio@BSFLLP.com>; Poppell, Cole A <CPoppell@cooley.com>; Biksa, Liene <lbiksa@cooley.com>; Weinstein, Mark <mweinstein@cooley.com>; Alvarez, Jessica <jalvarezlopez@cooley.com>; Holden Benon <hbenon@saverilawfirm.com>; Christopher Young <cyoung@saverilawfirm.com>; Aaron Cera <aCera@saverilawfirm.com>; Cadio Zirpoli <czirpoli@saverilawfirm.com>; Joe Saveri <jsaveri@saverilawfirm.com>; Margaux Poueymirou <mpoueymirou@saverilawfirm.com>; Ashleigh Jensen <ajensen@saverilawfirm.com>; Rya Fishman <rfishman@saverilawfirm.com>; Matthew Butterick <mb@buttericklaw.com>; Nada Djordjevic <ndjordjevic@dicellolevitt.com>; James Ulwick <Julwick@dicellolevitt.com>; Bryan L. Clobes <BClobes@caffertyclobes.com>; Mohammed Rathur <MRathur@caffertyclobes.com>; Amy Keller <akeller@dicellolevitt.com>; David

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<JiSchiller@BSFLLP.com>; David Boies <DBoies@BSFLLP.com>; Maxwell Pritt
<mpritt@BSFLLP.com>; z/Meta-Kadrey <zmetakadrey@cooley.com>
Subject: Kadrey v. Meta - Depositions

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Counsel,

In view of the Court's order today, please provide us with the list of witnesses whose depositions Plaintiffs intend to take. We need these right away to investigate their availability and comply with Judge Hixson's instructions. We ask to receive this list by tomorrow.

In addition, please provide dates and locations for the depositions of Matthew Klam and Rachel Snyder. We reserve all rights with respect to Christopher Farnsworth pending the outcome of the consolidation decision.

Best,

Liz

Elizabeth L. Stameshkin

Cooley LLP

3175 Hanover Street

Palo Alto, CA 94304-1130

+1 650 843 5121 office

+1 650 849 7400 fax

+1 626 644 7586 mobile

Istameshkin@cooley.com

Pronouns: she, her, hers

Cooley is committed to [racial justice](#)

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